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NARRATIVE
OF THE *702. f 2*
Profecution of Mr. *3* *Sare*

And his Servant, for Selling the
Rights of the Christian Church.

IN
ANSWER

TO WHAT
Relates to that Profecution.

IN THE
Second Part of the DEFENCE of
the said BOOK.

By SAMUEL HILLIARD, M. A. Prebendary
of LINCOLN. *H.*

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Half-Moon in St. Paul's Church-yard. 1709.

A
NARRATIVE

OF THE

PROSECUTION

AND DEFENCE

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QUESTIONS

IN

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A
NARRATIVE
OF THE

Prosecution of Mr. *Sare* and his
Servant, &c.

I Need no other Apology for troubling the World with this *Narrative*, than that it is very necessary, both to inform those to whom it has been very Falsely and Maliciously represented, and to do Justice to my own Reputation, which has been most scandalously Abused, for managing a Design I thought very serviceable to the *Church* and *Government*.

It is indeed my *Honour* to suffer in a Cause, where the whole Body of the *Christian Religion* is struck at ; and no less a *Satisfaction*, that I am Misrepresented by the Author of that Blasphemous Libel, who has so notoriously done it by Christianity itself.

The Account of it is this.

Being accidentally in Company one Evening with the *Worshipful* Mr. *Justice Smith* in *White-Chappel*, and saying, I had an invitation the next Day, to Dine with the *Grand-Jury of Middlesex*. The Justice Reply'd,

“ I might be capable of doing the Church
 “ and Government a signal Service in getting a *Presentment* of the Book of the
 “ Rights, a thing he himself had lately (tho’
 “ unsuccessfully) attempted from the *Grand-Jury* he was upon at *Westminster* (being
 “ defeated in the Enterprize by the Majority of the *Jurors*, who express’d their approbation of the Book). I thank’d him for the Hint, and knowing the Gentlemen of the *Jury* to be *Lovers of the Church and Establishment*, doubted not the Success, were it possible for me to collect the obnoxious Passages in so short a time (as not remembering Particulars from my own reading it over above a Year before :) Mr. *Justice Smith* assured me, “ That if I
 “ call’d upon him the next Morning at Nine,
 “ he would give me the *Presentment* he had
 “ prepared.

When I went at the Time appointed, he found his *Scrutore* fall’n down, and all his Papers so confus’d, that an Hour’s perusing them could not bring it to Hand.

How-

However, that the Design might not be frustrated, " If I would go to Dr. *Kennet*, as I
 " pass'd by *Aldgate*, he was satisfy'd I shou'd
 " be furnish'd with it by him, (he being the
 " Composer of what he was in quest of, and
 " having the Original by him.)

I immediately follow'd the Direction ; but the *Doctor* searching several Drawers of Manuscripts to no purpose, told me, " He remembred he had lent it, together with the
 " Book of the *Rights*, to a Clergyman in the
 " Country, but that I might easily get Matter enough for a *Presentment*, out of Dr. *Hicks's* Preface to his Book of the *Christian Priesthood*, and gave it me down from a Shelf in his Study for that purpose, together with some Hints of what should be urg'd in the *Presentment*.

It was then almost Eleven, and my Invitation being at Twelve, I took the Book with me ; and remembring the *Rehearsal* had expos'd several Blasphemous Passages in it, I went to the Publisher of that Paper, to know the particular Pages referr'd to in it : Musing as I pass'd, upon the necessity of comparing their *Quotations* with the *Original*, I borrow'd the Book of the *Rights*, of Mr. *Wilkin* in St. *Paul's Church-yard*, and going to the Place where the Gentlemen of the *Grand-Jury* were, and hearing them express their Expectations of being Discharg'd upon their return to the
 Court,

Court, rather than the Opportunity should be lost; even while I sat at the Table with them at Dinner, I drew up the following *Presentment*, which however imperfectly done, may easily be Apologiz'd for by the Hurry I was in.

WHereas, it is daily perceived, that the Free-Printing, Publisbing, and Dispersing of scandalous Books and Pamphlets, tends greatly to the propagating of Sedition and Prophaneness; and particularly in a Book lately Printed, and the Preface thereof, Entituled, *The Rights of the Christian Church Asserted, against the Romish, and all other Priests who claim an independent Power over it; with a Preface concerning the Government of the Church of England as by Law Established. In which Book, and the Preface thereof, are contained many Passages reflecting upon the Truth and Honour of our Christian Religion, and tending to disturb the Minds of Her Majesty's good People, to the great Offence of Well-disposed Christians, and giving great Advantage to Atheists, Papists, and the wildest Sectaries, and tending greatly to the disquieting the settled Peace and Unity of this Church and Nation, and particularly in several Parts and Passages hereunto referred, viz. [Preface, p. 30.] The Church a private Society, and no more Power to belong to it than to other private Companies and Clubs; and consequently, that all the*

the Right any one has to be an Ecclesiastical Officer, and the Power he is entrusted with, depends on the Consent of the Parties concerned, and is no greater than they can bestow. [*The Book*, p. 104.] The Scriptures nowhere make the receiving the Lord's Supper from the Hands of a Priest necessary. [*P.* 105.] The Remembrance of Christ's Sufferings a meer Grace-Cup, delivered to be handed about. [*P.* 108.] Among Christians one no more than another, can be reckon'd a Priest from Scripture—And the Clerk has as good a Title to the Priesthood as the Parson—Every one as well as the Minister, rightly consecrates the Elements to himself.—Any thing further than this, may rather be called Conjurat[i]on, than Consecrat[i]on. [*P.* 313.] The Absurdities of Bishops being by Divine Appointment, Governors of the Christian Church, and others, are capable of being of that Number, who derive not their Right by an uninterrupted Succession of Bishops in the Catholick Church. [*P.* 255.] The Supream Powers had no way to escape the heavier Oppressions, and more insupportable Usurpations of their own Clergy, than by submitting to the Pope's milder Yoke, and gentler Authority. [*P.* 151.] One grand Cause of Mistake, is not considering when God acts as Governor of the Universe, and when as Prince of a particular Nation.

The

The *Jews*, when they came out of the Land of Bondage, were under no settled Government, till God was pleas'd to offer himself to be their King, to which all the People expressly consented——God's Laws bound no Nation, except those that agreed to the *Horeb Contract*. [P. 47.] Not only an Independent Power of Excommunication, but of Ordination in the Clergy, is inconsistent with the Magistrate's Right to protect the Common-wealth. [P. 118.] Priests no more than Spiritual, make Baits, Baretters, Bou- tefeuxs and Incendiaries, and who make Churches serve to worse Purposes than Bear-Gardens. [P. 15.] 'Tis a grand Mistake to suppose the Magistrate's Power extends to indifferent Things——Men have Liberty as they please, and a Right——to form what Clubs, Companies or Meetings they think fit, either for Business or Pleasure, which the Magistrates——cannot hinder without manifest Injustice. [P. 312.] God——interpos'd not amongst the *Jews* till they had chose him for their King.

We therefore present the Author, Printer and Publisher of the said scandalous Book and Preface thereto, as dangerous and disaffected Persons to Her Majesty and Government, and Promoters of Sedition and Prophaneness.

The

The Author of the *Rights* has so express'd himself, that there's hardly any obnoxious Passages to be recited, without Transcribing whole Pages; which put me upon contracting them as much as possibly I could, knowing, That had the *Presentment* only referr'd to the Pages taken notice of, or deliver'd the Sense of the Author in general, it had been sufficient.

But an anonymous Scribler made use of this as an Handle, to reflect upon the Author of the *Presentment*; as if by false Quotations, leaving out Words, and blund'ring upon Quotations from Grotius and the Bishop of Sarum, he had quite alter'd the Sense of the Author of the *Rights*.

To which I publish'd an Answer, shewing, That the *Book of the Rights* did contain the same abominable Tenets that it was charged with in the *Presentment*, and that there were no false Quotations made from it; but that the true meaning was therein delivered, and as far as well could be, in his own Words: And for the further satisfaction of the World, that that is not so innocent a Book as the Patriots of it wou'd insinuate, I collected several Passages out of the *Rights*, so flagrant and notorious, that there is no pretending the Sense of the Author had been Misrepresented in the *Presentment*. " But that it is one of the most " impudent and pernicious Books this Age has

“ produc’d, destructive to the Peace both of
 “ Church and State, giving great Advantage
 “ to *Atheists, Papists, and the wildest Sectaries,*
 “ and tending to disturb the Minds, and de-
 “ bauch the Manners of Her Majesty’s good
 “ Subjects; Errors in Judgment, in those Points
 “ that relate to the *Government,* being a cer-
 “ tain step to *Anarchy* and Confusion; and in
 “ those that regard the Church, to the great-
 “ est *Schisms* and *Immoralities,* as corrupting
 “ the Understanding, and tending by degrees,
 “ to produce those Effects.

But to proceed: Having deliver’d the *Pre-*
sentment to the *Grand-Jury,* they unanimously,
December the 12th, 1708, Assented to it; and
 being willing to see the Event, I went down
 with them into the Court, where, upon the
 Clerk’s reading it, *Justice Offley* (the *Chairman*)
 got up, and said to the *Fore-man* to this pur-
 pose (and as near as I could write them down
 when I came Home) in these very Words.

“ Well, Sir! What would you have us do
 “ with this *Presentment*? This is a Book that
 “ has been publickly Sold these two or three
 “ Years I believe, and has been in every Body’s
 “ Hands almost, and has, I am satisfy’d, had
 “ the Approbation of the best Judges;
 “ Pray Sir, What would you have *Us* do with
 “ it?

Do with it (reply’d the *Fore-man*) “ I don’t
 “ know what you may think of it, *We* take
 it

“ it to be a very Villainous Book, and have
 “ therefore Presented it, hoping the Court will
 “ make an Order to have it Burnt by the Hands
 “ of the *Common Hang-man* ; as also to appre-
 “ hend the *Author, Printer, and Publisher*, as
 “ has been done in Cases of the like Nature.

Justice *Offley* sat down, and getting up again, answer’d, “ I don’t know the Author ;
 “ how should *We* know who is the *Printer* or
 “ *Publisher* ? or where to find them ? Why !
 “ you are the Publisher of it to us ; pray Sir,
 “ where had you the Book ? I Sir, (said the
 “ Fore-man) had it of a very honest Clergy-
 “ man in the Court, who will not be afraid
 “ or ashamed to appear in so good a Cause.
 Upon which I stood up, and told the Justice that I was the Person who gave the Book and the Quotations to the *Foreman*. “ Why then
 “ Sir, says Mr. *Offley*, that Gentleman (point-
 “ ing to me) is the *Publisher*, and you must
 “ prefer an Indictment against him for it.

Mr. *Justice Smith* (who was then upon the Bench) was pleas’d to say, “ Hold,
 “ Brother *Offley*, I think that wou’d be but in-
 “ different Treatment of a Gentleman, who
 “ has taken so much pains to serve the *Church*
 “ and *Government* in detecting such Wicked
 “ Books.

“ Ay ! really, I think so too, added another Justice upon the Bench (whose Name I had not then an opportunity of enquiring) “ I rather

“ think, that Gentleman ought to have our
 “ Thanks for his good Service. Upon which,
 several of those Worshipful Gentlemen were
 pleas’d to rise up and express their Acknow-
 ledgments to me.

Mr. Offley all this while sitting down, at
 length getting up, said,

“ Well Sir! I say as I said before, That
 “ Gentleman, (pointing to me again) is the
 “ Publisher of it to us; and therefore Mr. Fore-
 “ man, you must Indict Him. I made Answer,
 that I little expected such Usage from one in
Her Majesty’s Commission; if it was his Method
 of proceeding to Brow-beat and Discounte-
 nance the Evidence on *the Crown-side*, it wou’d
 soon put a stop to all Informations; God might
 be Blasphem’d, and the Government Insulted
 with Impunity; and that I believ’d, he wou’d
 have but little Thanks from the Government,
 when they came to be made sensible of it. Mr.
Justice Smith was pleased to say, “ Mr. Chair-
 “ man, I have known Mr. Hilliard to be a
 “ very worthy Clergyman in my Neighbour-
 “ hood several Years, if you please to enquire,
 “ I don’t doubt but he can tell you where he
 “ had the Book, and if so, the Person he had
 “ it of, is the real Publisher; and directing
 “ himself to me, said, Pray Mr. Hilliard,
 “ where had you this Book? I answer’d, that
 I had it of a Bookseller in *London*.

Oh!

“ Oh! reply’d *Justice Offley*, that is out of
 “ our Cognizance, this Gentleman is here as
 “ the Publisher of it to us, and therefore if
 “ you wou’d Indict any Body, you must In-
 “ dict him. Just then the *Grand-Jury* were
 desir’d by their Clerk, to return to their Room
 upon some fresh Business that was to come be-
 fore them, and a Gentleman from off the Bench,
 whom I had not the Honour to know, came
 to me, as I was going out of the Court with
 the *Grand-Jury*, and laid, “ Sir, if you go and
 “ buy a Book any where without *Holbourn*
 “ Bars, and bring it away with you imme-
 “ diately, together with the Christian and Sir-
 “ name of the Man you buy it of, you will
 “ fix the Matter in spite of all their Opposi-
 “ tion.

I took Coach directly to *Holbourn Bars*, and
 going on the Right-hand side of the way, un-
 der the Arch in the Passage to *Gray’s-Inn*, see-
 ing a Man in the Bookseller’s Shop there (a
 Place I was never in before, to my Knowledge)
 I ask’d for the *Rights of the Christian Church*:
 He turning himself round, took one down
 from a Shelf among other Books, and told me
 the Price was 4s. 6d. I enquir’d his Name,
 which he said was *Richard Williamson*: I ask’d
 whether he was Master of that Shop? To
 which he reply’d in the Negative, telling me
 Mr. Sare was. Scrupling in my Mind, whe-
 ther it would be as effectual to have it from a

Servant

Servant as the *Master*, I resolv'd to go on further up *Holbourn* to get one at some other Place, and telling him I would call as I came back, went up as far as *High-bulbourn*; but not finding any one of that Trade on either side of the way, came back to Mr. *Sare's* Shop, where I stay'd a small time for Mr. *Williamson's* returning from Dinner, (as a Boy that was there assured me he would soon do) Paying him for the Book, and taking the Name of the Parish, I drove back to *Hicks's-Hall* to the Jury, who by the next Morning, *December* the 13th, 1708, drew up an Indictment against Mr. *Sare* and his *Servant Williamson*.

The *Foreman* told me, that a Warrant wou'd be issued out upon it to Apprehend them: They being Strangers to me, and that they might be satisfy'd the Prosecution did not proceed from any ill Will, or bad Design against them, I resolv'd to do all I could to convince them, it was the *Author* only I intended shou'd Suffer, and for that end, consulted with the *Foreman* how it cou'd be done: For the better effecting of which, he promis'd to bring me the *Warrant*; that if I wou'd, I shou'd have the opportunity of delivering it to any *Constable*, whose Civility I shou'd be satisfy'd of. Having the *Warrant*, and thinking it necessary to take some Body with me upon the Occasion, I went with the Reverend Mr. *Berdmore* (who was so kind as to Accompany me)

me) to a Publick-House in Mr. *Sare's* Neighbourhood, and sending for him, his Servant *Williamson* came, who having (as he told us) heard of the Matter before, was in so great an Heat, that it was not to be allay'd by my assuring him, 'that I gave myself the trouble of
' coming on purpose to acquaint Mr. *Sare* with
' it before I wou'd give out the *Warrant*, that it
' might go into whose Hands he thought best of,
' since the *Prosecution* proceeded from no Personal *Prejudice* against him, and I might thereby
' be Instrumental to prevent any Scandal, or
' Vexation, that the rude Treatment of some
' surly *Officers* might give them. Tho' (I say) I hop'd this wou'd have been kindly taken, yet it had the contrary Effect, Mr. *Williamson* going out of the Room in a strain of Defiance and Reflection: Upon which I left the *Warrant* in the Hands of a Neighbour, who promis'd to treat Mr. *Sare* and his Man in the most Courteous manner.

That Night I return'd Dr. *Kennet* his Book, and gave him an account of all that had pass'd, who was pleas'd to Reply, " Well! Mr. *Hilliard*, you have done a Noble and Laudable
" piece of Service, I wou'd have you make it
" as Publick as you can, it won't cost much if
" you get some Copies of the *Presentment*
" Printed, and disperse them. At length he agreed with me in the Opinion, that publishing it in the *Post-Man* wou'd be as effectual;
adding,

adding, 'that I ought to wait upon my *Diocesan*
' and the Archbishop to acquaint them with
' what had been done, and desire their Advice
' and Direction, this being a Cause of so great
' Importance to the Good of the *Church*, he did
' not doubt but they would take it very kindly
' of me, be glad to join in it, and exert their
' Interest and Authority in such a manner as
' wou'd give Life to the Prosecution, and deter
' others from daring to publish such Blasphemous
' and Seditious Principles for the future.

The next Day hearing my *Lord Bishop of London* was at the Chapter-House of *St. Paul's*, examining Persons to be admitted into Holy Orders, I paid my Duty to his Lordship, who was pleas'd to express his Approbation of all I related, and to encourage the going on vigorously with the *Prosecution*, adding, "something ought to be done, since Monsieur Le
" Clerk had recommended it in his *Biblioth.*
" *Choise* : And smiling at Justice *Offley's* Treatment of me, bid me " not be Discourag'd,
" nor regard any of the *Scribbling Pamphleteers*,
" from whom I express'd my expectations of
" *Slander* and *Lampoon* ; telling me, that the
" greatest and best of Men had been subject
" to that sort of Usage from such vile Miscreants,
" and therefore let what wou'd happen
" of that Nature, it was not to be taken notice
" of ; and that in managing the *Prosecution*, I
" should not want his Lordship's Direction
and

“ and Assistance; and in order to it, that I
 “ should attend him two Days after, at the
 “ *Lobby of the House of Lords*; where his Lord-
 “ ship express’d his concern, *that since he saw*
 “ *me*, he was inform’d, this Matter had hap-
 “ pen’d to fall upon a very Honest Man, and
 “ that he wou’d therefore have me send to
 “ him, and see if he cou’d not help me to find
 “ out the Author and Printer.

‘ Giving Dr. *Kennet* this Account, he went
 ‘ the next Day to Mr. *Sare*, who refus’d to do any
 ‘ thing of that Nature, as being a betraying of
 ‘ his Trade, and Rail’d at me as if I had sing-
 ‘ led him out to Prosecute, because he had
 ‘ Printed Dr. *Hicks’s Answer to the Book*.

Dr. *Kennet* said, ‘ He did all he could to
 ‘ satisfie him on the contrary, and that he
 ‘ knew my buying the Book of him, was a
 ‘ meer Accident, a thing altogether undesign’d;
 ‘ but yet (added Dr. *Kennet*, to me) for all I
 ‘ could do to undeceive him, he is enrag’d at
 ‘ at it; but Mr. *Hilliard*, you must not mind
 ‘ that, if you were to drop the *Prosecution*,
 ‘ the World would say, you had some under-
 ‘ hand Bribe to do it; you must e’en go
 ‘ on with it, and let him thank himself for the
 ‘ Consequence.

I waited on my *Lord Bishop of London* again
 with Mr. *Sare’s* Answer, and his *Lordship* was
 pleas’d to direct me to one *Stephens*, a Messen-
 ger of the *Press*, who had been with his *Lord-*

C
ship

ship upon the first Publishing the Book, and could put me in a way to find out the *Printer*. *Stephens* promised to do all that possibly he could in the Affair; but was uncapable of making the Proof he propos'd to the *Bishop of London*, (having parted with the Book he then had.) Thence I went to *Lambeth*, and acquainted the Reverend Dr. Potter, Chaplain to the Arch-Bishop of Canterbury, with Dr. Kennet's advising me to wait upon the Arch-Bishop, for his Grace's Direction and Assistance in the Case. Dr. Potter express'd his great Approbation of what had been done, and said he wou'd represent it to the *Arch-Bishop*; and on the Monday after assured me of his Grace's Encouragement, and a kind reception by himself, upon all Occasions that I might have for direction in managing the *Prosecution*.

Much about this time, Dr. Kennet was preferr'd to the Dean'ry of *Peterborough*; and whether his Advancement to that Post, or his having Directions from some that were instrumental in promoting his Interest, not to encourage the *Prosecution* (for it was every where known, how great an Hand he had in it) or what it was, I can't say; but this I found, that he was said to be so much Abroad, so taken up when at Home, and all of a sudden so cool and indifferent in the Cause, that I resolv'd not to trouble myself any further in going to consult him.

The

The time drew nigh for Mr. Sare's pleading to his Indictment at *Hicks's-Hall*, and being directed not to bring a *Certiorari*, till I saw whether Mr. Sare wou'd remove it to the *Queen's-Bench* or not; it gave occasion to some of the Justices to believe it wou'd be try'd before them, which the Worshipful Justice Smith acquainted me with at *Child's Coffee-House*, and advised I wou'd bring a *Certiorari* (an Interest having been made among the Justices to quench the *Prosecution*.)

Two Days after (meeting Mr. Smith again) " said he " I see you sent a *Certiorari*, but I
 " assure you, I never was so strangely surpriz'd
 " in all my Life as I was that Morning;
 " Justice Herbert (commonly known by the
 " Name of the rough Diamond) came to me
 " the Day before we suppos'd the Trial wou'd
 " have been, and after Discourse about gi-
 " ving my Vote for the disposal of a Place in
 " the Nomination of *the Bench of Justices*, said,
 " What! the Trial about the *Rights* is to be
 " to Morrow, God, I think 'tis an excellent
 " Book, and therefore prithee Brother Smith,
 " let us discountenance that Busie Parson all
 " we can; Why don't those Lazy Priests
 " Answer the Book? But *Pox on 'em* they
 " can't; they don't know what to do with
 " it, and that makes them Mad; e'en let the
 " Book stand upon its own Legs, and don't
 " let us meddle in it.

“ I can’t be of your Opinion in that, Brother Herbert (reply’d *Justice Smith*) tho’ I
 “ will Vote with you in t’other Case.

“ It’s all one, I can tell you, (answer’d *Herbert*) such and such (naming several of the
 “ Justices to him) are resolv’d to be there,
 “ and we shall do it without you.

“ The next Morning (said *Justice Smith* to
 “ me) expecting to find Brother Herbert at
 “ *Hicks’s-Hall* raving against the Prosecution,
 “ the first News I heard, when I came upon
 “ the Bench, was, that he was found Dead in
 “ his Bed.

Tho’ I know better (and particularly by our *Doctor’s* late Discourse upon this very Point, about those that perish’d by the Tower of *Siloam*) than to put such an uncharitable Construction upon such a Providence of God, yet I protest I cannot help its making a mighty Impression upon me.

Having remov’d the Cause by a *Certiorari* to the *Queen’s-Bench*, I consulted Sir *Edward North* upon the *Indictment*, who advis’d the quashing of *that*, (which by the carelessness of the Clerk that drew it up at *Hicks’s-Hall*, had several Blunders in it) and preferring a new one, my *Attorney* prepar’d it according to Sir *Edward’s* Directions; and after he had Corrected it, the worthy Gentlemen who were upon the *Grand-Jury* at *Westminster*, had it no sooner laid before them, but they express’d their

their abhorrence of the Book, and its *vile Principles*. One of them enquir'd if I had not Indicted Mr. *Sare* for that Fact already? And why I should offer at another? I told him, it was by direction of Council; that *that* Indictment should be quashed and discharged (not being so carefully drawn up as it ought to have been) and that 'I doubted not but they would
 ' demonstrate their Zeal for God's Honour, and
 ' our legal Establishment, both in Church and
 ' State, by finding of the New one, which was
 ' purged from the Errors of the Old: Which
 ' those Worthy Gentlemen very readily did.

Some time after attending my Lord Bishop of London, acquainting him with the whole Proceeding, he again express'd 'his Concern
 ' for Mr. *Sare*, and repeated his Advice of my
 ' application to *Stephens*, as believing that in
 ' a little time he would be capable of furnish-
 ' ing me with a Proof against the Printer.
Stephens giving me no Satisfactory Answer, and the Booksellers knowing of the Prosecution against Mr. *Sare*, were so shy of Selling them, that none of the Methods we either of us devis'd were successful to obtain any other Proof.

After this, visiting Dr. *Potter*, he was of Opinion, that for the satisfaction of my Lord Bishop of London, I should send my Attorney to Mr. *Sare* with this overture again, That if he would but give in Evidence against the
 Person

Person of whom he had the Book, he should be Discharg'd without any manner of Expence: I not only sent *him*, but was favour'd with Dr. *Moss's* speaking to Mr. *Sare* upon the same Occasion, who absolutely refusing to comply with it, under the pretence of its being *Dishonourable*, and a *betraying his Trade*.

All my Brethren of the Clergy I had recourse to, were of Opinion, 'That Mr. *Sare's* Stifness
' must be owing to some Combination among
' the Booksellers to Indemnify him, and that
' it had been more agreeable to Mr. *Sare's*
' Character of a Man of Integrity and good
' Affections to the Church and Establishment, to
' have acquiesc'd in the Proposal, since it was
' a mistaken Notion of Honour, not to do all
' that in him lay to detect the Author of such
' vicious Principles as he professes to abhor in
' his Conscience: And it can be *no betraying*
' *of an honest Trade* to have made a discovery
' of the wicked Instruments that promoted so
' villainous a Design, and that so far as he *wit-*
' *fully stifled and prevented the Discovery*, so far
' was he an *Abetter with them*, and had there-
' fore no reason to be angry at the *Prosecution*:
' Which my Reverend Brethren I consult-
' ed with, thought therefore ought to be fol-
' low'd in the best manner, and with the ut-
' most Application I was capable of.

Tho³

Tho' here, to the Reader's great Astonishment, I must except one of them, namely the Reverend Dr. *Kennet*, (my former very good Friend and Counsellor in this Cause) who signaliz'd himself to me in a very peculiar manner beyond all my Brethren; for he seeing me one *Saturday*, just before the Trial, at the *Arch-Bishop of Canterbury's* (where by the way, I think no Body was present but Dr. *Waugh*, (the Arch-Bishop being called out of the Room upon some occasion, the very Moment he began to speak, he accosted me in this manner; ' What Mr. *Hilliard*! I hear you are turn'd ' Informer, and have Indicted Mr. *Sare*, who ' is as Honest a Man as any is in *England*; I ' am very sorry, after you had done so laudable ' an Action as getting *the Book of the Rights* ' *Presented*, that you should fall foul on an in- ' nocent Man, who did no more than what was ' publicly done by every one of the Trade: ' And I admire with what *Conscience*, or with ' what *Honesty* you cou'd do it?

Tho' Mr. Dean formerly seem'd cold and indifferent, which I attributed to his Advancement, or the Injunctions of some of his superior Friends, yet, I could never have supposed he could so soon turn down-right an Apostate, against a Cause he had so far concern'd himself in, he must be of a *seared Conscience* indeed, and *past all feeling*, who could talk at this rate, after he had been the very Man who advis'd
my

my ' Attendance upon our *Diocesan* and the
 ' *Arch-Bishop*, for the better managing the *Pro-*
 ' *secution* against Mr. *Sare*, and his *Servant*;
 ' nay, who was the *very Man*, who went to
 ' satisfy them that the *Prosecution* was *Acci-*
 ' *dental* and *undesign'd* by me, and to get them
 ' to strike in with me in finding out the *Au-*
 ' *thor* and *Printer*, and which is more, was
 ' the *very Man*, who urg'd the absolute neces-
 ' sity of my going on with the *Prosecuti-*
 ' to prevent the *Aspersions* of being bought
 ' off by an underhand *Bribe*. I say, that
 he who had done all this, should thus act
 so inconsistently with himself, is a thing not to
 be accounted for in any one *Living*, but him
 that had done the same from the *Pulpit* and the
Press, in two 30th of *January* Sermons, and his
Loyal Panegyrick upon King *James*.

After I had a little recover'd my self from
 the *Surprize*, I told him ' He was the last Man
 ' in the World I could expect such an ungrate-
 ' ful Return from, having been encourag'd
 ' and directed in the whole *Transaction* by
 ' himself. As to his calling me *Informer* in
 this Case, I shall now answer him in his own
 Words, before out of the 27th Page of his Ser-
 mon, before the *Society for Reformation of Man-*
ners, where he says,

If Informing, or giving Evidence, be the very
living Soul of Justice, and that alone which must
inspire all our Laws; shall the thing itself be abso-
lutely

absolutely Needful, and yet the Name of the Thing be Reproachful? No, the Name holds more Creditable. And p. 332. he sanctifies the Name of an Informer. But all this is but White against Kennet, no new thing at all with the Doctor. As to the Arguments he urg'd, I endeavour'd at that time to convince him there was nothing in them, " Mr. Sare not being " in this Instance an innocent Man in the Eye of " the Law; and tho' he might have the reputation of never so honest a Man; yet it is no part " of his Honesty to vend such pernicious Books, " and as far as in him lay, to prevent the Author's being detected; neither was the Practice a whit the more warrantable for universally revailing over the whole Trade; About that Time all the Booksellers in Dublin were taken up for selling a Book of Prayers for the pretended Prince of Wales's. The Government would not tolerate such a Practice there, however it is suffer'd here; and no Man can but judge it reasonable, that there should be as great a restraint from vending poisonous Principles which ruin Souls, and may overthrow the State, as it is to prohibit the publick Sale of Poyson for the destruction of Life.

It is high time some stop should be put to the prevailing Corruption among Booksellers, which is arriv'd to so great an height, that if any one would be so wicked as to write a Satyr against God Almighty himself, or to Bur-

lesque the Bible, there would ever be found those among 'em who would greedily vend it for the sake of a Six-penny Profit.

As to what the Doctor last said; namely, that he wonder'd *with what Conscience and with what Honesty* I could Prosecute Mr. Sare; I return the Query, *With what Conscience*, or with what *Honesty* could *he* at first direct and advise me to do it, and then have the Face to call the honesty of the Action into question, and reflect upon me for doing it? But let him know, I did it with a *much better Conscience*, and a great deal *more Honesty*, than he deliver'd that so much admir'd Panegyrick at the Funeral of a late Noble Peer.

Notwithstanding this Rencontre with Dr. Kennet, the Reverend Dr. Potter, and the rest of my Brethren I associated with, encourag'd me to neglect no proper Method in carrying on the Prosecution: For that end, I Fee'd Mr. Handcock, Sir Edward Northy, Sir Peter King, the Solicitor-General and Attorney-General (tho' the last never did me the Honour to appear in the Cause.)

Upon the Tryal, after *my Learned and Ingenious Council* had open'd the Cause, excellently well setting out the pernicious tendency of such wicked Books, both to *Church and State*, and their repugnancy to the known *Laws of the Land*, The Council on Mr. Sare's Part, objected against the Indictment for the omission of an R in the
Word

Word *Christ*. It was suggested to me to have the Bill found *Special*; but resolving to mend the *Indictment* by a *Bill of Information* the next Term; it was not thought advisable.

It is not to be express'd with what great Concern many worthy Spectators lamented the deficiency of the Law in this Case, seeing both the Lord Chief Justice, and the whole Court, seem'd very much incens'd against the wicked Principles of the Book; and 'tis to be presum'd, well dispos'd to inflict some signal and exemplary Punishment.

After the Tryal was thus over, I went to Stephens again to get Proof against the Printer, if it were possible; but he assur'd me it was not to be done as yet, and if I had had never so good an Inclination to have amended the Indictment against Mr. Sare, the *Act of Indemnity* that soon after pass'd, put it out of my Power.

This is in every Particular, to the best of my Remembrance, real *Matter of Fact*, and such as I could safely attest upon Oath, were it necessary; and therefore the Author of the *Second Part of the Defence of the Rights*, may, from the Relation here given of the *Prosecution* Page 92. (without being surpriz'd) well account for a Man of my Principles Prosecuting Mr. Sare, who was thought an High-Churchman, without supposing I concluded Mr. Sare would out of Compliment to the Party, submit without any more ado to the Court,

in hopes of a very moderate Fine, rather than be at the charge and trouble of an expensive Fine; and (be well satisfy'd) that there was no Revenge in the Informer upon Mr. Sare, for his spoiling the hopeful Plot, by being too Honest to come into such a wretched Design; and that there was no assurance pretended to be given Mr. Sare, by the Informer some time before the Tryal was to come on, of not Removing it on purpose to put him to the more Expence in Feeing Council, &c. Then got it remov'd into the Queec's-Bench by a Certiorari, nor no laying two Indictments against the same Persons for the same Fact, in the same Court (and at the same time.) For none of these Assertions have a Syllable of Truth in 'em, but are as notoriously False, as the Father of Lyes could make them.

I am heartily sorry this Author has Reason to boast in open defiance of all the Laws and Powers in the Kingdom, Ecclesiastical and Civil, that the Book of the Rights has had three Editions; has been several times Advertis'd in the publick Papers, and been so much the Discourse of all sorts of People without being Censur'd by any Authority whatever, or one Proposition in it Condemned by any of the Universities of Great-Britain.

Tho' I have been unsuccessful in Prosecuting this good Design, which I hop'd would have been serviceable to the Church and Government, yet I hope it will find sufficient Friends in both to assert their own Honour and Interest, which are so scandalously struck at in this blasphemous

mous and seditious Libel. It is to no purpose for any particular Person to expend his private Fortune in a publick Cause, as I am sure, I myself have done in this, having never receiv'd the value of a Farthing from any Mortal living upon the Account (as this Author falsely insinuates.)

Tho' I might reasonably have expected Assistance from all *Well-wishers to the Church and Establishment*; yet the only return I have met with after so great Trouble and Expence, is to be Abus'd, and Revil'd by some, for having done it; small Encouragement for any one after me, to attempt a Publick Service, tho' it be against the profess'd Enemies of the Church and Establishment.

But however Private Persons may suffer, yet this ought to be a Motive to excite all that are in Authority, (Bodies Corporate especially) to demonstrate their Concern for *Christianity* and our *Constitution*; for this is a Business that requires the Heads and Hands of a Community: And if any *one Body of Men* in the Kingdom would but thus resolve to act for the good of the *Church, the Queen, and Government*, we should soon be sensible of the good Effects of it; we should have a speedy stop put to that Brood of Schism, Heresy, Blasphemy, and Rebellion, that daily comes abroad into the World, to the Debauching of Men's Minds and Manners, and the preparing a way for the
Over;

Overthrow both of *Church* and *State*, which must certainly be the Consequence of it, if not speedily prevented.

However I may be traduc'd by a wicked World for what I have done, I shall despise it, as that great Apostle did, who, tho' he kept a *Conscience void of Offence towards God*, yet found it a very hard Task to maintain a clear Reputation among *Men*,

F I N I S.

T Hese are to certifie, that the Account given in the preceeding Narrative, of the Grand-Jury for the County of Middlesex, Decemb. the 12th and 13th, 1708, in the Presenting and Indicting the Author, Printer, and Publisher, of the Rights of the Christian Church, and of Justice Offley, and of Justice Smith's Discourse with the Foreman and Mr. Hiliard, and the rest of the Passages that were transacted in Court, are according to the Relation of them therein given, very true in every Particular. In Testimony whreeof we who were then upon the said Grand-Jury have hereunto set our Hands, this 1st. day of Nov. 1709.

John Bush.
Joshua Davis.
Jacob Fensham.
Edward Percival.
Thomas Gearing.

Richard Bottom.
Edward Turner.
William Aldritt.
John Harris.
Thomas Jones.

This is to certify that the above
 names in the preceding Inventory
 of the Grand-Jury for the County of
 Middlesex, Decemb. the 22nd and 23rd
 1708, in the Presenting and Indicting the
 Author, Printer, and Publisher of the
 Rights of the Christian Church, and of
 Justice Office, and of Justice Smith's
 Discourse with the Foreman and Mr. Hill
 third, and the rest of the Passages that
 were mentioned in Court, are according to
 the Relation of them to their places, and
 true in every Particular. In Testimo-
 ny whereof we have subscribed upon the
 said Grand-Jury these words for our
 Hands, this 1st day of Nov. 1709.

Richard Bottom.
 Edward Turner.
 William Aldrich.
 John Harris.
 Thomas Jones.

John Bush.
 John Davis.
 Jacob Penham.
 Edward Forster.
 Thomas Gearing.

